

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

GEORGIO RODRIQUEZ SCOTT

PLAINTIFF

v.

CIVIL ACTION NO. 2:19-cv-123-TBM-MTP

FORREST COUNTY, MISSISSIPPI

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on submission of the Report and Recommendation [96] entered by United States Magistrate Judge Michael T. Parker on August 8, 2022. Following an evidentiary hearing, Judge Parker found that the Plaintiff failed to prove by a preponderance of the evidence his deprivation of water claim against Forrest County. Having considered the arguments of the parties and the evidence presented, Judge Parker recommends that the Plaintiff's claim be dismissed with prejudice. The Plaintiff has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” FED. R. CIV. P. 72(b) advisory committee’s note to 1983 addition (citations omitted); *see Casas v. Aduddell*, 404 F. App’x 879, 881 (5th Cir. 2010) (affirming district court’s dismissal of Section 1983 claims and stating that “[w]hen a party fails timely to file written objections to the magistrate judge’s proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error”) (*citing Douglass v. United Serv. Auto Ass’n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1)); *Douglass*, 79 F.3d at 1430 (affirming district court’s grant of summary

judgment). Having considered Judge Parker's Report and Recommendation, the Court finds it is neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED Report and Recommendation [96] entered by United States Magistrate Judge Michael T. Parker on August 8, 2022, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED the Plaintiff's claims are DISMISSED WITH PREJUDICE.

THIS, the 6th day of September, 2022.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE